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Holtzbrinck Networks GmbH, and
Holtzbrinck Ventures GmbH

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FACEBOOK, INC.,

Plaintiff,

v.

STUDIVZ LTD., HOLTZBRINCK
NETWORKS GmbH,
HOLTZBRINCK VENTURES
GmbH, and DOES 1-25,

Defendants.

Case No. 5:08-CV-03468 JF

Assigned To: Hon. Jeremy Fogel

**EVIDENTIARY OBJECTIONS TO
DECLARATIONS OF DR.
KATHARINA SCHEJA AND
WARRINGTON S. PARKER**

[Reply Memorandum of Points and
Authorities; Supplemental Declaration of
Stephen S. Smith (with Exhibits D-N);
and Declaration of Dr. Anton G. Maurer
(with Exhibit O) Filed Concurrently]

Date: December 9, 2008
Time: 10:00 a.m.
Dept./Place: Courtroom 2, 5th Floor
Hon. Howard R. Lloyd

Complaint Filed: July 18, 2008

Defendants StudiVZ Ltd., Holtzbrinck Networks GmbH, and Holtzbrinck Ventures GmbH (“Defendants”) hereby object to the evidence submitted by plaintiff Facebook, Inc. (“Facebook”) in support of Facebook’s Opposition to Defendants’ Motion for Protective Order as follows:

I. Declaration of Dr. Katharina Scheja

1. Defendants object to the entire Declaration of Dr. Katharina Scheja on the grounds that it was not signed under penalty of perjury. 28 U.S.C. § 1746; Kersting v. United States, 865 F.Supp. 669, 676 (D.Haw. 1994) (holding that the phrase “under penalty of perjury” is required to meet the verification requirements of 28 U.S.C. § 1746).

I. Declaration of Warrington S. Parker

1. Defendants object to the entirety of Paragraph 2 of the Declaration of Warrington S. Parker on the grounds of lack of proper authentication and on the grounds that it constitutes inadmissible hearsay.

2. Defendants object to the entirety of Paragraph 3 of the Declaration of Warrington S. Parker on the grounds of lack of proper authentication and on the grounds that it constitutes inadmissible hearsay.

DATED: December 2, 2008

GREENBERG GLUSKER FIELDS
CLAMAN & MACHTINGER LLP

By: /s/ Stephen S. Smith
STEPHEN S. SMITH
Attorneys for Defendants studiVZ Ltd.,
Holtzbrinck Networks GmbH, and
Holtzbrinck Ventures GmbH